

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:14-CT-3317-H

DAVID Q. BIGGS, SR.,)
Plaintiff,)
)
v.)
)
CAPTAIN D. EVERETTE; VICTOR)
LOCKLEAR; and VICKI L.)
COURTNEY; all in both their)
individual and official)
capacities,)
Defendants.)

ORDER

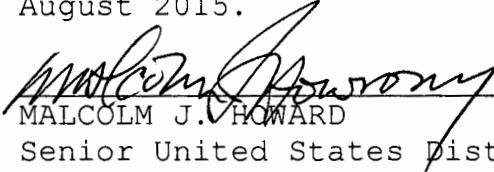
This matter is before the court on plaintiff's motion to reconsider the order issued by this court on April 20, 2015, [D.E. #8], dismissing his 42 U.S.C. § 1983 complaint as frivolous. This matter is now ripe for adjudication.

Courts have generally recognized three grounds for altering or amending judgments. See Hutchinson v. Staton, 994 F.2d 1076, 1081 (4th Cir. 1993). Specifically, courts will alter or amend "an earlier judgment: (1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." Id.

The court has carefully reviewed plaintiff's motion to reconsider, as well as the record in this matter, and finds no

reason to alter or amend its judgment. Petitioner's motion to reconsider [D.E. #8] is, therefore, DENIED.

This 12TH day of August 2015.


MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
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